

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

**GANART TECHNOLOGIES, INC.**

**VS.**

**TURNKEY KIOSKS, LLC**

§  
§  
§  
§  
§

**CIVIL ACTION NO.  
3:14-CV-00616-P**

**JOINT STATUS REPORT AND PROPOSED DISCOVERY PLAN**

Plaintiff Ganart Technologies, Inc. ("Plaintiff") and Defendant TurnKey Kiosks, LLC ("Defendant") file this Joint Status Report pursuant to the Court's Order of March 31, 2014.

**I. Attorney Conference**

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and the Court's Order, counsel for the parties conferred on April 18, 20 and 29, 2014 for purposes of submitting this joint status report. This is a trade secrets case. Plaintiff contends Defendant misappropriated, improperly disclosed and improperly used Plaintiff's trade secrets, in breach of a Non-Disclosure Agreement between the parties. Defendant denies these allegations.

Counsel discussed the potential for early resolution and although no progress was made towards settlement, counsel agreed to exchange additional information in order to clarify the parties' respective positions and to revisit settlement negotiations prior to participating in formal mediation.

**II. Proposal**

**1. A proposed time limit to file motions for leave to join other parties and to amend the pleadings;**

The parties propose motions for leave to join other parties and amended pleadings should be filed by July 30, 2014.

**2. Proposed time limits to file various types of motions;**

The parties propose a deadline for filing dispositive motions by March 27, 2015.

3. **A proposed plan and schedule for discovery, including a time limit to complete discovery;**

The parties have agreed to enter into an Agreed Protective Order to facilitate discovery, which should be completed by April 30, 2014.

4. **A proposal for limitations, if any, to be placed upon discovery;**

None.

5. **A proposed time limit to designate expert witnesses;**

The party with the burden of proof on an issue will designate experts by January 16, 2015. The party without the burden of proof will designate experts by February 27, 2015.

6. **A proposed trial date, estimated number of days required for trial and whether a jury has been demanded;**

The parties propose a trial date of July 30, 2015. The parties anticipate the case can be tried in 4 days. A jury has been demanded.

7. **A proposed date for commencing settlement negotiations;**

Settlement negotiations shall be commenced no later than June 30, 2014.

8. **Whether the Parties will consent to trial (jury or non-jury) before U.S. Magistrate Judge Paul Stickney (NOTE: Before responding to this question, counsel are directed to carefully review the provisions of 28 U.S.C.A. 636(c) and, specifically, 636(c)(3));**

The parties consent to trial before U.S. Magistrate Judge Paul Stickney.

9. **Whether the Parties are considering mediation or arbitration to resolve this litigation and, if not, why not. (NOTE: The Court encourages the early use of mediation or arbitration);**

The parties agreed to mediate the case if informal settlement negotiations do not resolve the case.

- 10. Any other proposals regarding scheduling and discovery that the Parties believe will facilitate expeditious and orderly preparation for trial, including the Parties' positions on a consolidated discovery schedule; and**

Plaintiff may join additional Defendants to the case after receiving Defendant's response to its initial discovery.

- 11. Any other matters relevant to the status and disposition of this case.**

Plaintiff intends to seek injunctive relief after conducting its initial discovery.

Defendant filed related litigation in state court in Arizona after Plaintiff initially filed suit in Texas, contesting the validity of the Non-Disclosure Agreement. Plaintiff requested the Arizona state court action be dismissed or abated. A hearing on this issue was held on April 25, 2014 and the Arizona court dismissed Defendant's case on forum non conveniens grounds.

Respectfully submitted,

*/s/ Jonathan C. LaMendola*

**JONATHAN C. LaMENDOLA**

Texas Bar No. 00792637

Cobb Martinez Woodward PLLC

1700 Pacific Avenue, Suite 3100

Dallas, Texas 75201

214.220.5204

214.220.5254 Fax

email: [jlamendola@cobbmartinez.com](mailto:jlamendola@cobbmartinez.com)

**ATTORNEY FOR GANART  
TECHNOLOGIES, INC.**

*/s/ David W. Williams*

**DAVID W. WILLIAMS**

Arizona Bar No. 022764 (admitted pro hac vice)

**JOSHUA W. CARDEN**

Texas Bar No. 24050379

David Miles McGuire Gardner

The Summit at Law Colinas

545 E. John Carpenter Freeway, Suite 300

Irving, Texas 75062

972.674.3885

972.674.2935 Fax

email: [dwilliams@davismiles.com](mailto:dwilliams@davismiles.com)

**ATTORNEY FOR TURNKEY KIOSKS,  
LLC**